



DEPARTMENT OF THE ARMY
OFFICE OF THE ASSISTANT SECRETARY
WASHINGTON, D.C. 20310

SARDA

28 February 1979

SUBJECT: Procurement Information Letter 79-5, Uniform Rules of Procedure for Boards of Contract Appeals and Related Regulations

SEE DISTRIBUTION

1. On 26 February 1979, OFPP issued the attached interim final rules implementing the Contract Disputes Act of 1978 (P.L. 95-563, 41 U.S.C. 601-613) effective 1 March 1979.

2. On 28 February 1979, the DAR Council directed immediate use and implementation of the rules and the following:

"a. All contracts, unless excepted by the rules, awarded on or after 1 March 1979 are subject to these procedures. If a previous version of the "Disputes" clauses has been included in a contract awarded on or after 1 March 1979, it has no legal effect and is superseded by the Act and these implementing procedures.

b. Contracts including a superseded clause, awarded on or after 1 March 1979, need not be modified solely for the purpose of incorporating the new clause; however, the new clause shall be incorporated in the first modification, if any, issued under such contracts.

c. Notwithstanding the provisions of any "Disputes" clause in a contract awarded prior to 1 March 1979, the contractor may elect to proceed under the Act and these implementing procedures with respect to any disputed request pending before the contracting officer on 1 March 1979 or a claim initiated thereafter."

FOR THE ASSISTANT SECRETARY OF THE ARMY (RDA):

A handwritten signature in cursive script, reading "Arthur Daoulas".

ARTHUR DAOULAS
Colonel, GS
Assistant Deputy for
Materiel Acquisition

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